

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101
Prepared by: David M. Abramson, Planner II

SUBJECT: DG 9-4-05 / Pirtle Office Building / 5700 Griffin Road/ Generally located on the south side of Griffin Road, between Southwest 58th Avenue and Southwest 55th Avenue

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, DELETING A 50-FOOT ACCESS EASEMENT BETWEEN PARCELS "A" AND "B," AS WELL AS A 24-FOOT ACCESS EASEMENT WITHIN PARCEL "B" FROM THE HULMES PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The "Hulmes Plat" is the proposed site for the new three-story Pirtle Office Building within the Griffin Road Corridor, East Gateway Zone. This request is needed to ensure that plat access easements are consistent with those proposed on the site plan.

Therefore, the petitioner seeks to amend the "Hulmes Plat" by vacating a 50' access easement between Parcels "A" and "B." There is a Non-Vehicular Access Line (NVAL) opening adjacent to the access easement that is proposed to be closed. In addition, the petitioner seeks to vacate the 24' access easement within Parcel "B."

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

PREVIOUS ACTIONS: N/A

CONCURRENCES: N/A

FISCAL IMPACT: N/A

RECOMMENDATION: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachments: Resolution, Planning Report, Justification letter, Plat, Existing Survey, Proposed Survey, Future Land Use Map, Zoning and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, DELETING A 50-FOOT ACCESS EASEMENT BETWEEN PARCELS "A" AND "B," AS WELL AS A 24-FOOT ACCESS EASEMENT WITHIN PARCEL "B" FROM THE HULMES PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the approved "Hulmes Plat" includes a 50-foot access easement between Parcels "A" and "B" adjacent to the northern property line and a 24-foot access easement within Parcel "B."; and

WHEREAS, the petitioner has filed a site plan application to develop the subject site with approximately 32,139 square foot of office building; and

WHEREAS, the petitioner desires to delete the 50-foot and 24-foot access easement from the "Hulmes Plat."

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve to delete the 50-foot and 24-foot easement from the "Hulmes Plat." The proposed revision being specifically described on the planning report attached hereto as Exhibit "A."

SECTION 2. This resolution shall be recorded in the Broward County public records.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2005.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005.

TOWN OF DAVIE
Development Services Department
Planning and Zoning Division
Staff Report and Recommendation

Applicant Information

Owner:

Name: James B. Pirtle
Address: 4749 Davie Road
City: Davie, Florida 33314
Phone: (954) 797-0410

Petitioner:

Name: James Kahn
Keith and Schnars, P.A.
Address: 6500 North Andrews Avenue
City: Ft. Lauderdale, Florida 33309
Phone: (954) 776-1616

Background Information

Application Request: Delegation request approval to amend the "Hulmes Plat" by vacating a 50' access easement between Parcels "A" and "B," and a 24' access easement within Parcel "B."

Address/Location: 5700 Griffin Road/ Generally located on the south side of Griffin Road, between Southwest 58th Avenue and Southwest 55th Avenue

Future Land

Use Plan Map: Commercial

Zoning: Griffin Road Corridor District, East Gateway Zone

Existing/Proposed Use(s): Vacant - Playground equipment sales / Office: 32,139 sq. ft.

Parcel Size: 2.57 acres (111,962 sq. ft.)

Surrounding Uses:

North: C-11 Canal
South: Single-Family Residential Homes
East: Retail Structure
West: Retail Structure

Surrounding Land

Use Plan Map Designations:

Recreation / Open Space
Residential 5 DU / Acre
Commercial
Commercial

Surrounding Zoning:

North: T, Transportation District
South: R-5, Low Density Dwelling District
East: Griffin Road Corridor District (East Gateway Zone)
West: Griffin Road Corridor District (East Gateway Zone)

Zoning History

Related Zoning History:

Ordinance No. 2000-007, approved by Town Council, rezoned this parcel to the Griffin Corridor District (West Gateway Use Zone 1) on February 2, 2000.

Previous Requests on same property:

Plat Application (P 1-2-98), on September 2, 1998, Town Council approved the Hulmes Plat where it was later recorded by the County in Book 169 of plats at page 18 of the public records of Broward County, Florida.

Concurrent requests on same property:

Delegation Application (DG 5-2-05), this application is proposing to amend the non-vehicular access line (NVAL) on the Hulmes Plat.

Delegation Application (DG 5-3-05), this application is proposing to amend the restriction note on the Hulmes Plat that limits the amount of development to a total of 6,761 sq. ft. of commercial, to 36,000 sq. ft. of office use.

Delegation Application (DG 9-4-05), this application is proposing to vacate the ingress/egress easement on the Hulmes Plat.

Site Plan Application (SP 4-7-05), this application is proposing a new three-story office building with one waiver request.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code Section 12-32.303, (C) East Gateway (Use Zone 1). This zone extends eastward from Southwest 61st Avenue to just east of Southwest 54th Terrace. Retail, office and complementary uses are encouraged here, although lesser intensity than within the Downtown Use Zone.

The Broward County Land Development Code requires Delegation Requests for plat note amendments.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies:

Future Land Use Element, Objective 4: Pursuant to the adopted Davie Future Land Use Plan Map, land uses, intensities and densities shall be distributed and concentrated in such a manner so as to promote an economically sound community and discourage urban sprawl.

Future Land Use Element, Policy 7-4: Commercial land uses shall generally be located with access to primary transportation facilities including interstates, highways, and arterials. Commercial uses located on arterials not designated by the Future Land Use Plan Map as Commercial corridors should be limited to the intersection of two arterials or arterials and interstates. Consistent with Policy 7-1, vacant land with such access shall be evaluated for potential Commercial use.

Future Land Use Element, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Element, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

The “Hulmes Plat” is the proposed site for the new three-story Pirtle Office Building within the Griffin Road Corridor, East Gateway Zone. This request is needed to ensure that plat access easements are consistent with those proposed on the site plan.

Therefore, the petitioner seeks to amend the “Hulmes Plat” by vacating a 50’ access easement between Parcels “A” and “B.” There is a Non-Vehicular Access Line (NVAL) opening adjacent to the access easement that is proposed to be closed. In addition, the petitioner seeks to vacate the 24’ access easement within Parcel “B.”

Staff Analysis

The Comprehensive Plan and Land Development Code permits parcels designated Griffin Road Corridor District, East Gateway Zone to be developed with office uses. Approval of this request is subject to Broward County Development Management Division. Broward County is the lead agency in assessing the impact of development through the plat and/or delegation request process.

Findings of Fact

Staff finds the plat amendment consistent with the site plan and is compatible with the surrounding areas. Staff has no objection to the request.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Town Council for further consideration.

Town Council Action

Exhibits

1. Justification Letter
2. Plat
3. Existing Survey
4. Proposed Survey
5. Future Land Use Plan Map
6. Zoning and Aerial Map

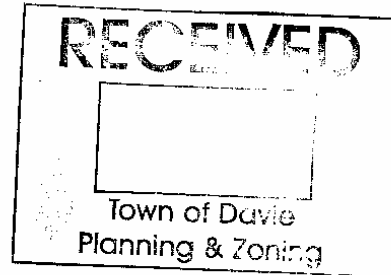
Prepared by: _____

Reviewed by: _____

Exhibit 1 (Justification Letter)



KEITH and SCHNARS, P.A.
ENGINEERS - PLANNERS - SURVEYORS



**Justification Statement
Ingress/ Egress
Easement Vacation**

The Hulmes Plat (PB 169, PG 18) was comprised of two Parcels, "A" and "B". When the plat was originally recorded there were separate owners of the two parcels. As a result of the different ownership and the access to the site which was limited by the reconstruction of Griffin Road, a ingress/egress easement was required. The ingress/egress easement was intended to provide access to the median opening located on the east side of the plat, which was shared by Roth's New River Groves.

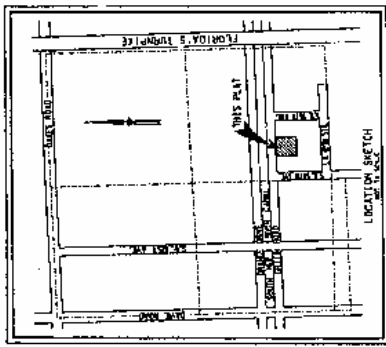
The ownership has now changed and, there is a single entity that owns both parcels, and is developing an office building. The ingress/egress easement prevents good site design for a single building, and is no longer necessary. It is requested that the ingress/ egress easement be vacated to allow proper development of the site.

6500 North Andrews Avenue • Ft. Lauderdale, Florida 33309-2132
(954) 776-1616 • (800) 488-1255 • Fax (954) 771-7690

HULMES PLAT

A REPLAT OF THE NORTH 350 FEET, LESS THE SOUTH 538.52 FEET, LESS THE WEST 250, TRACT 29,
OF THE PLAT OF NEWMANS SURVEY, SECTION 26, TOWNSHIP 50 SOUTH, RANGE 41 EAST (P.B. 2, PG. 39, D.C.R.)
TOWN OF DAVID, BROWARD COUNTY, FLORIDA

PREPARED BY
KEITH AND SCHWAB, P.A.
ENGINEERS - PLANNERS - SURVEYORS
1500 N. W. 10TH AVENUE
FORT LAUDERDALE, FLORIDA 33309
(954) 774-1614
SEPTEMBER 1998



EXCERPTS

1. A portion of said plat, containing 1/4 acre, is shown in the sketch. The sketch is a portion of the larger survey, showing the boundaries of the replat area within the context of the larger survey.

COMMENTS

1. The replat is shown in the sketch. The sketch is a portion of the larger survey, showing the boundaries of the replat area within the context of the larger survey.

SURVEY CERTIFICATE

I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original survey, as the same appears from the records of the county clerk of Broward County, Florida.

NOTICE
TO ALL WHOM THESE PRESENTS MAY COME: KNOW THAT THE PLAT OF NEWMANS SURVEY, SECTION 26, TOWNSHIP 50 SOUTH, RANGE 41 EAST (P.B. 2, PG. 39, D.C.R.) IS HEREBY REPLATED AS SHOWN ON THE ATTACHED PLAT, AND THE SAME IS HEREBY RECORDED FOR THE PURPOSE OF RECORDING THE SAME IN THE PUBLIC RECORDS OF THE COUNTY OF BROWARD, FLORIDA.

EXCERPTS
FROM THE PLAT OF NEWMANS SURVEY, SECTION 26, TOWNSHIP 50 SOUTH, RANGE 41 EAST (P.B. 2, PG. 39, D.C.R.)
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RECORD COUNTY RECORDS SECTION
PLANNING AND ENVIRONMENTAL PROTECTION
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NAME OF PLAT	DATE	RECORDS SECTION	PLANNING AND ENVIRONMENTAL PROTECTION	RECORDS SECTION	PLANNING AND ENVIRONMENTAL PROTECTION
HULMES PLAT	SEPTEMBER 1998	RECORDS SECTION	PLANNING AND ENVIRONMENTAL PROTECTION	RECORDS SECTION	PLANNING AND ENVIRONMENTAL PROTECTION
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Exhibit 3 (Existing Survey)

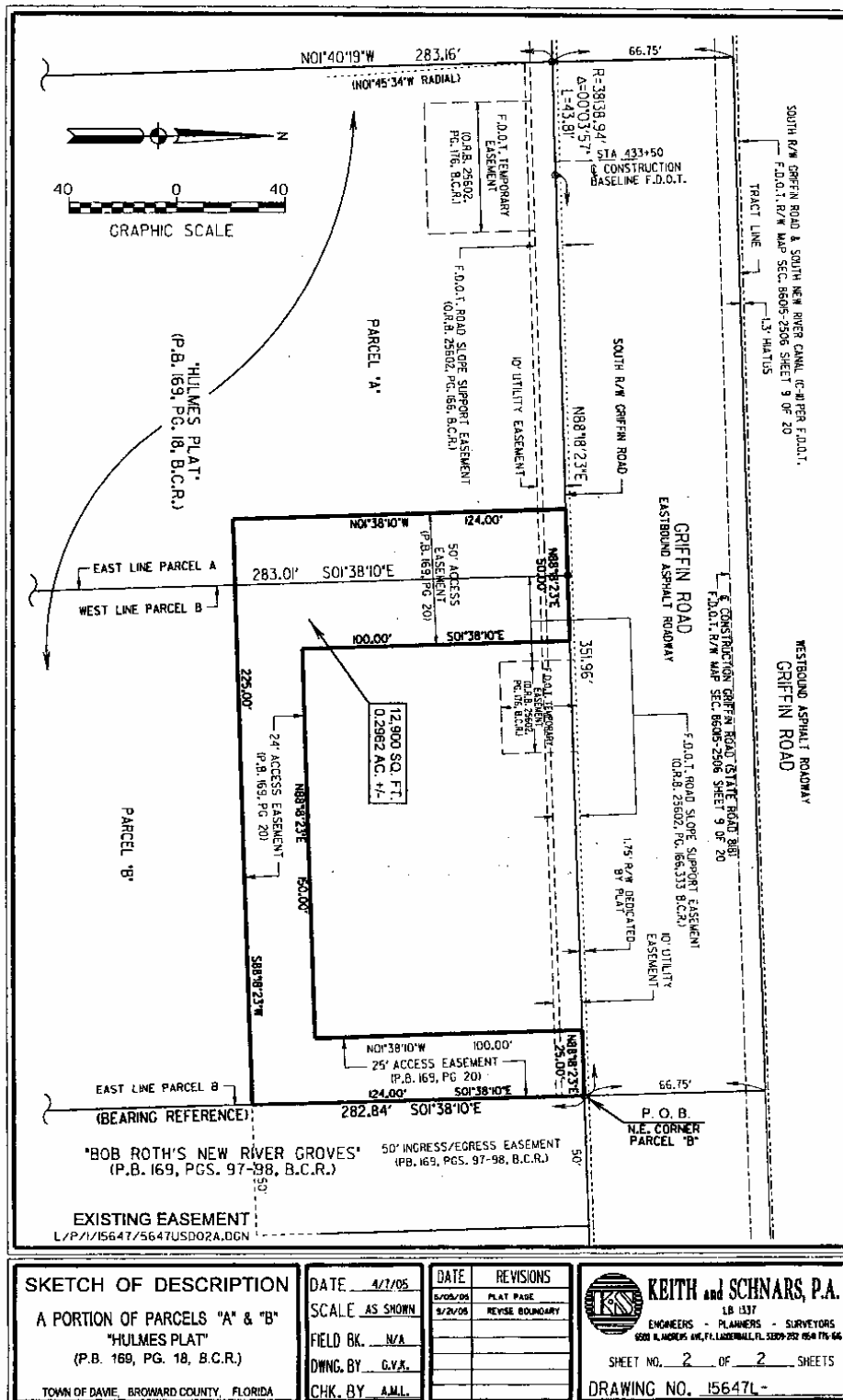


Exhibit 4 (Proposed Survey)

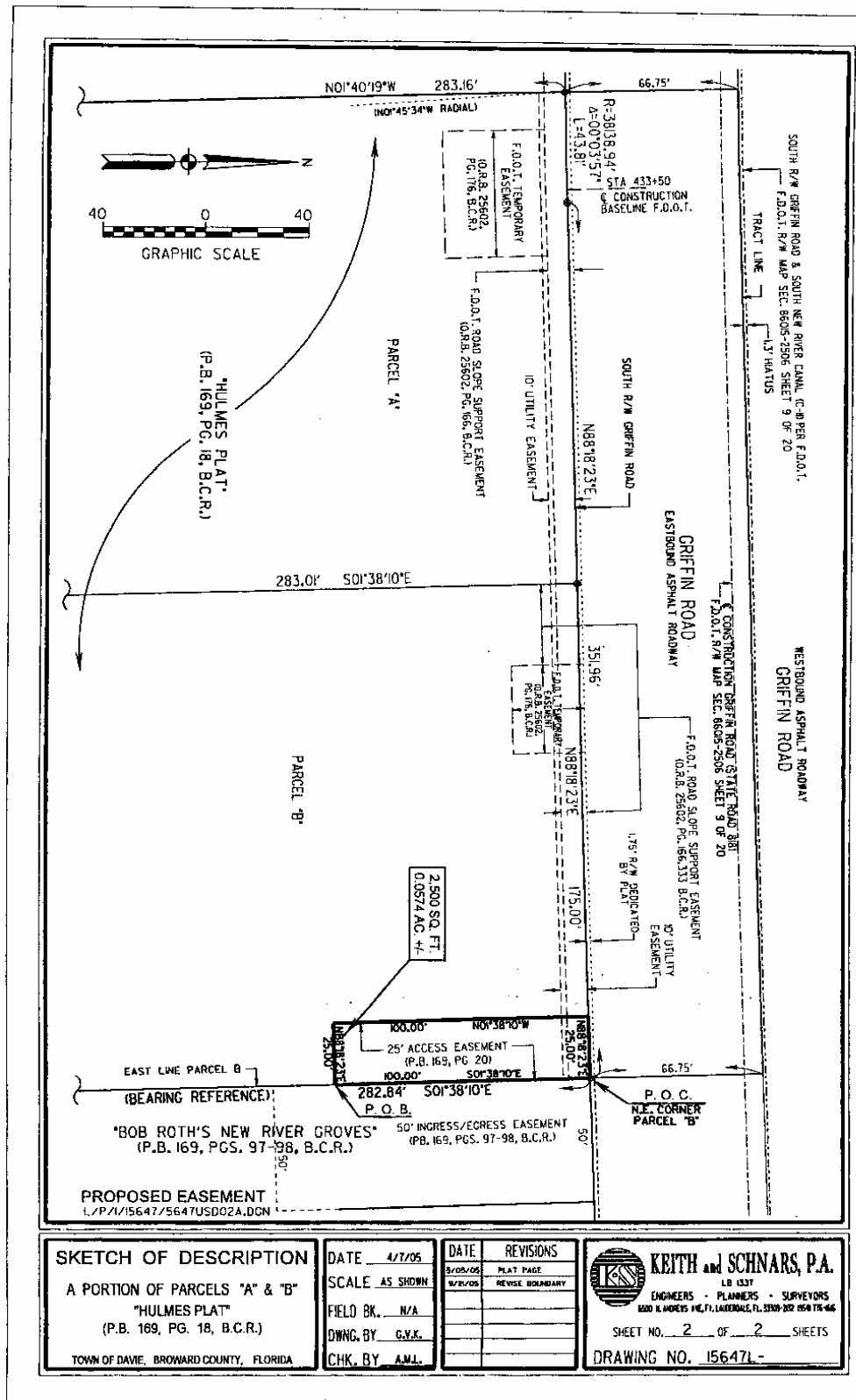
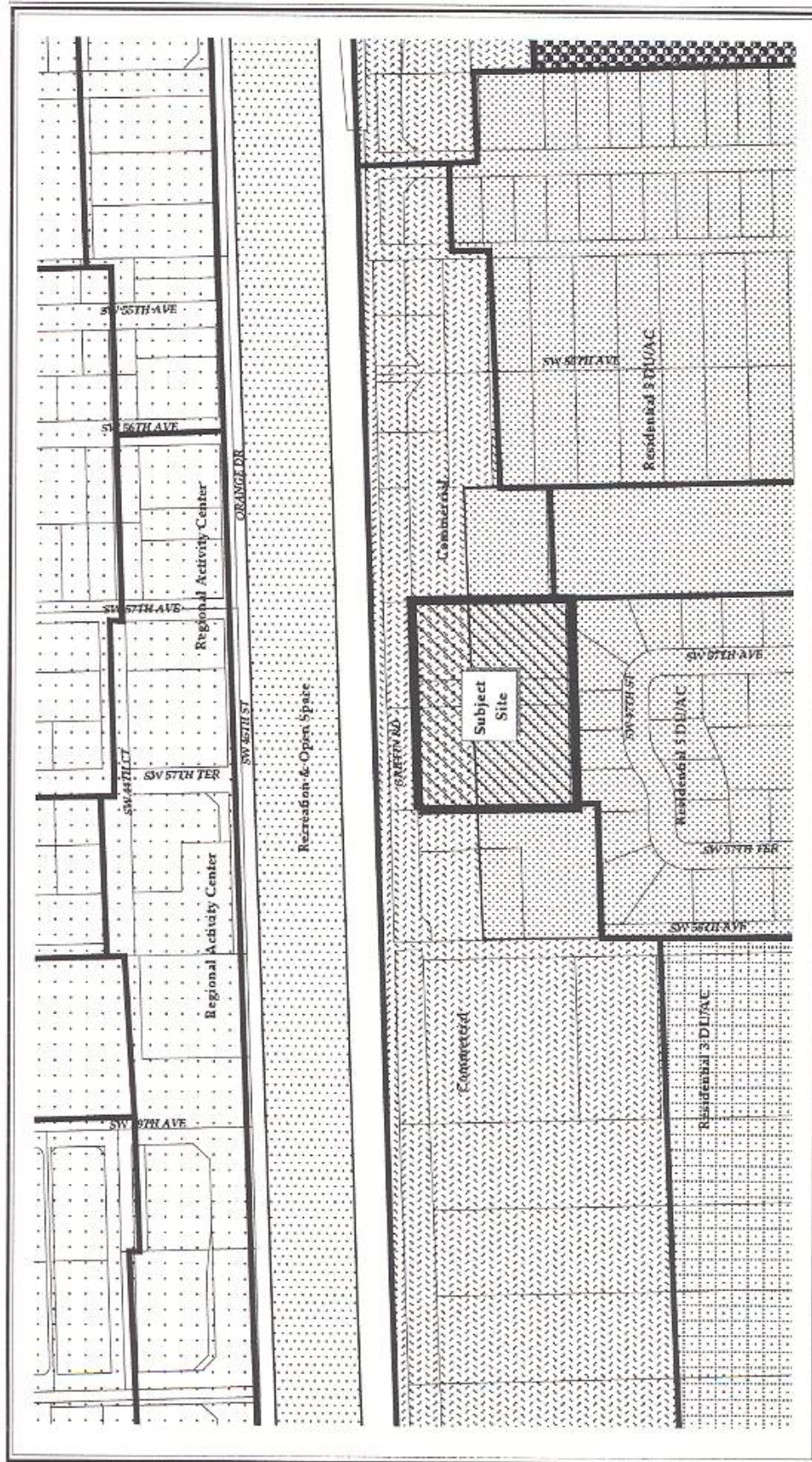


Exhibit 5 (Future Land Use Map)



Site Plan Application
SP 4-7-05 / Pirtle Office Building
Future Land Use Map

Prepared By: D.M.A.
Date Prepared: 10/17/05



The Town of Davie
Development Service Department
Planning & Zoning Division



0 500 Feet

Scale

Exhibit 6 (Aerial, Zoning, and Subject Site Map)

